

REMARKS

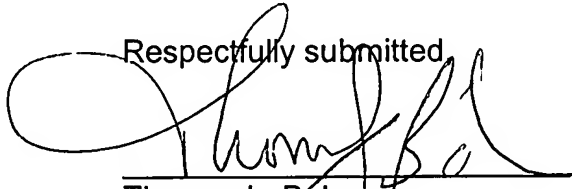
- A. Examiner noted that the declaration or oath (previously filed) is defective. A new Declaration and Power of Attorney using PTO/SB/01 (12-97) is submitted herewith.
- B. Examiner objected to the drawings primarily because they displayed text rather than numbers. Two sheets of replacement drawings, each labeled "Replacement Sheet," are submitted herewith. All of the original figures are to be cancelled.
- C. Examiner objected to the Specification because it was not arranged in the proper format. Because of the extensive changes in the Specification deemed now by Applicant to be necessary, a substitute Specification is submitted herewith. Applicant requests that it be entered and that the original Specification be cancelled in its entirety. Applicant respectfully submits that, when compared to the pending application as a whole, the substitute Specification can be seen to introduce no new material.
- D. Examiner rejected the single pending claim based on 35 USC 112, second paragraph, because of its being "narrative in form and replete with indefinite and functional or operational language." With this paper, Applicant requests that that claim be cancelled, and ten original claims be entered. Applicant submits that the new claims are of the proper format and that, in view of the pending application, introduce no new material.
- E. Examiner also rejected the single pending claim based on 35 USC 102, "as being clearly anticipated by Priester, III," referring to Figure 1 and Figure 2, as well as column 2, lines 18-21 & 37-41, and column 4, lines 27-33 of Priester, III et al. Applicant submits that Priester, III, et al. does not anticipate any of the original claims being submitted with this paper. Among the elements that take the broadest of the new claims out from under Priester, III, et al. is that claim's head-piece element allowing the prone sleeper's head to remain in a state of repose while turned away from the face-down orientation, which is the orientation foreseen by the invention disclosed by Priester, III et al. and is the orientation dictated by the embodiments of its device shown in its Figure 1 and Figure 2. In addition, other of the present Applicant's new claims contain wedge-shaped pieces

as elements, something lacking in the disclosure of Priester, III et al. Yet another distinction separating most of Applicant's new claims from the device of Priester, III et al. is the fact that the latter is everywhere described and represented as having a "pair" of body pieces, used to restrain the sleeper's torso from rotating in *either* direction, whereas most of Applicant's new claims have a single body piece used to constrain the sleeper's torso from turning in a *single* direction.

F. With pending Claim 1 cancelled the original claims entered pursuant to this amendment, the total number of independent claims will be increased from one to two, and the total number of claims from one to ten. Therefore, no addition to the original filing fee is required.

G. Based on the amendments and arguments included herewith, Applicant submits that his application is in the proper form and his claims are in order for allowance. Applicant therefore respectfully requests that Examiner do deem the application and claims and issue a Notice of Allowance. Nevertheless, to the extent that Examiner believes that questions raised by this Response can be effectively dealt with through direct communication with his Representative, Applicant invites Examiner to contact said Representative by telephone or Email.

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Respectfully submitted,

Thomas L. Bohan
Attorney for Applicant
Reg. No. 29,773
Bohan, Mathers & Associates, LLC
P. O. Box 17707
Portland, ME 04112-8707
(207) 773-3132
tlb@bohanmathers.com